



MEMPHIS & SHELBY COUNTY BOARD OF ADJUSTMENT

125 North Main Street, City Hall, Room 468
MEMPHIS, TENNESSEE 38103

APPLICATION FOR CONDITIONAL USE PERMIT APPROVAL

PLEASE TYPE OR PRINT

Property Owner of Record: _____ Phone #: _____

Mailing Address: _____ City/State: _____ Zip _____

Property Owner E-Mail Address: _____

Applicant: _____ Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Applicant E-Mail Address: _____

Representative: _____ Phone #: _____

Mailing Address: _____ City/State: _____ Zip _____

Representative E-Mail Address: _____

Engineer/Surveyor: _____ Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Engineer/Surveyor E-Mail Address: _____

Street Address Location: _____

Distance to nearest intersecting street: _____

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	_____	_____	_____
Existing Zoning:	_____	_____	_____
Existing Use of Property	_____	_____	_____
Requested Use of Property	_____	_____	_____

I (we) hereby make application for approval of the Conditional Use Permit being sought from described above and on the accompanying materials.

I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Board of Adjustment at the next available hearing date.

I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

*Property Owner of Record

Date

Applicant (if not property owner)

Date

GUIDE FOR SUBMITTING CONDITIONAL USE PERMIT APPLICATION

- A. **THE APPLICATION** - Four (4) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:
- 1) One (1) original Application, 8.5"x11" Site/Concept Plan, Plot Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Site/Concept Plan (folded), copy of Deed(s).
 - 2) Four (4) sets of copies in the following order: Application, 8.5"x11" Site/Concept Plan, Plot Plan, Legal Description, and Vicinity Map, Letter of Intent, 20"x24" Site/Concept Plans, folded.
 - 3) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".
- (For additional information concerning these requirements contact Land Use Control Section at (901) 576-6619.)*
- B. **LETTER OF INTENT** - The letter shall include the following:
- ___ a) A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
 - ___ b) A list of any professional consultants associated with the proposed development.
 - ___ c) A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed development is to be designed, arranged and operated in order to limit impact to neighboring properties.
 - ___ d) A description of the applicant's planning objectives and the approaches to be followed in achieving those objectives.
- C. **REGISTERED LAND SURVEYOR'S SURVEY:**
- Two (2) copies of a survey (of recent origin showing everything existing on the subject property at the time of filing, and in no instance can it be over one year old) of the subject property, drawn to an engineering scale by a registered land surveyor (licensed in Tennessee), on 8 ½ x 11 inches sheets. The survey must indicate the dimensions and location of all existing structure(s) and improvement(s); property dimensions and amount of land area; dimensions and location of off-street parking facilities and curb cut(s); and the established setbacks of the existing structure(s) on the site and on the adjoining properties. (Please Note: The requirements for a survey may be waived by the Planning Director.)
- D. **SITE/CONCEPT PLAN** - Four (4) copies of the site/concept plan shall be submitted and depict the following: (a) property boundary lines and dimensions, existing utilities and easements, roadways, rail lines and public rights-of-way, crossing adjacent to the subject property; (b) the proposed height, dimensions and arrangements of buildings on the property; (c) the type and location of proposed landscaping; (d) the location of points of ingress/egress (driveways), parking lots and loading areas on the site; and (e) any proposed substantial re-grading of the site and any significant topographical or physical features of the site including water courses or ponds. Site/Concept plan shall be drawn at a scale of not less 1"=100' for developments of less than 150 acres, 1"=200' for developments between 150 and 1,000 acres, and 1"=300' feet for developments in excess of 1,000 acres.
- E. **PLOT PLAN AND LEGAL DESCRIPTION**
- 1) Four (4) copies of the plot plan, drawn to scale (1"=50', =100' or =200'), showing each parcel to be considered. Two or more parcels may be described on one sheet. If property is encumbered by easements, show type and location on plot plan.
 - 2) Four (4) copies of legal description shall be attached to plot plan if not shown or described on the plan.
- F. **VICINITY MAP**
- 1) Four (4) copies showing the subject property (boldly outlined) and all parcels within a 500' radius. If the 500' radius includes less than 25 property owners, the radius shall be extended at 100' intervals to

reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500'. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.

2) Three (3) copies of vicinity map without the owner's name.

G. **LIST OF NAMES AND ADDRESSES**

1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2^{5/8}" self-adhesive mailing labels and 2 paper sets.

2) Two (2) self-adhesive mailing labels (1"x 2^{5/8}") each for the owner of record, applicant, representative and/or engineer/surveyor.

H. **FILING FEES** *(All Fees Are Subject To Change without Prior Notice)*

Residential=\$150 Nonresidential=\$500 Intergovernmental=\$300

Make check payable to "M/SC Office of Planning and Development"

***ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE
SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM
STAFF**

9.24 Conditional Use Permit

A conditional use permit is required for all conditional uses as set forth in Chapters 2.5, Permitted Use Table and 2.7, Accessory Structures and Uses.

9.24.6 Conditional Use Permit Approval Criteria

No conditional use permit shall be approved unless the following findings are made concerning the application:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare (UDC sub-section 9.24.6A).
- The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations (UDC sub-section 9.24.6B).
- The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services (UDC sub-section 9.24.6C).
- The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance (UDC sub-section 9.24.6D).
- The project complies with all additional standards imposed on it by any particular provisions authorizing such use (UDC sub-section 9.24.6E).
- The request will not adversely affect any plans to be considered (see UDC Chapter 1.9) or violate the character of existing standards for development of the adjacent properties (UDC sub-section 9.24.6F).
- The Board of Adjustment may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to insure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code (UDC sub-section 9.24.6G).
- Any other finding required for a particular conditional use permit as provided in this Code (UDC sub-section 9.24.6H).